GOVERNMENTOF ANDHRA PRADESH

A B S T R A C T

Agriculture & Cooperation Department – V & E cases - Sri K.V.V. Satyanarayana Murthy, the then Assistant Director of Agriculture (SC), RVP, Arakuvalley, Vishakapatnam District - Allegations of failure in supervision and lack of devotion noticed in the works of Soil Conservation in Arakuvalley, Visakhapatnam District, and misuse & misappropriation of RVP funds - Disciplinary action initiated under A.P.Civil Services (CCA) Rules, 1991 – Subsequently retired as Deputy Director of Agriculture, O/o Joint Director of Agriculture, Srikakulam - Imposition of the Penalty of "Withholding of 20% of Pension permanently, besides recovery of Rs.5,13,991.25 paisa from his retirement benefits", under A.P.Revised Pension Rules, 1980 – Orders – Issued.

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AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Ms.No.12 **Dated : 08.03.2022**

Read the following:

1. From the Prl.Chief Conservator of Forests, A.P., Hyderabad Letter Ref.No.22804/2004/P4, dt.18.08.2004.
2. Proceedings No.Vig.II (4) 396/04-1, dt.01.10.2004 of the Commissioner of Agriculture, A.P., Hyderabad.
3. From the Director General (Vig. & Entt.) & Ex-Officio Principal secretary to Government, GAD (V&E) Department, A.P., Hyderabad Letter C.No.1077/V&E/NR.2/2003 (Vigilance Report No. 127), dt.18.11.2004.
4. Memo.Roc.No. Vigilance II(4)396/2004, dt.07.07.2005, of Commissioner & Director of Agriculture, A.P., Hyderabad.
5. G.O.Rt.No.1844, A & C (Vig.I) Dept., dt.21.12.2005.
6. Proceedings No.AI (1) 1444/2004, dt.04.01.2006 of the Commissioner & Director of Agriculture, A.P., Hyderabad.
7. Explanation dt.11.05.2006 of Sri K.V.V. Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP Arakuvalley, Vishakapatnam District.
8. Proceedings No. Vig.II(4)/396/04, dt. 28.04.2009 of Commissioner & Director of Agriculture, A.P. Hyderabad.
9. Proceedings No. Vig.II(4)/396/04, dt. 23.03.2009 of Commissioner & Director of Agriculture, A.P. Hyderabad.
10. Letter C.C.No.Addl.D.A.1/E.O/Arakuvalley/2010, Enquiry report dt. 06.05.2010, of Addl. Director of Agriculture-I, O/o Commissioner & Director of Agriculture, A.P., Hyderabad.
11. Memo.No.Vig.II (5)/396/04, dt. 19.07.2010 of the Commissioner & Director of Agriculture, A.P. Hyderabad.
12. Explanation dt. 23.09.2010 of Sri K.V.V. Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Deputy Director of Agriculture, O/o Joint Director of Agriculture, Srikakulam.
13. Govt.Memo.No.15612/Vig.I/2004, A&C(Vig.I) Dept., dt. 10.02.2016
14. Representation dt. 17.06.2016 of Sri K.V.V.Satyanarayana Murthy, Deputy Director of Agriculture (Retd.), O/o Joint Director of Agriculture, Srikakulam.
15. Government Letter.No. AGC01- AGRI/89/2020-1, A&C (Vig.I) Dept., dt. 23.12.2021.
16. From the Joint Secretary, A.P.,Public Service Commission, Vijayawada, Letter. No. 19/DC&C/2022, dt. 02.02.2022.

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O R D E R:

In the reference 1st read above, the Prl.Chief Conservator of Forests, A.P., Hyderabad has informed that very serious irregularities were noticed in the works executed by the Asst. Director of Agriculture, Arakuvalley and lack of his supervision and control led to commission of lage scale misappropriation of funds and hence requested the Commissioner of Agriculture, A.P., Hyderabad to place Sri K.V.V.Satyanarayana Murthy, Asst. Director of Agriculture & two others, under suspension, pending disciplinary action and also to initiate action to recover the misappropriated amount from the concerned.

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2. Accordingly, in the reference 2nd read above, the Commissioner of Agriculture, A.P., Hyderabad has placed Sri K.V.V.Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District, under suspension, under sub-rule (1) of rule 8 of A.P.Civil Services (CCA) Rules, 1991.

3. In the reference 3rd read above, the Vigilane & Enforcement Dept. has submitted a report regarding misuse & misappropriation of RVP Funds in Soil Conservation Works in Arakuvalley, Vishakaptnam District and advised the Department to recover the misappropriated amount and also to initiate disciplinary action for major penalty against Sri K.V.V.Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District, under suspension, under A.P.Civil Services (CCA) Rules, 1991.

4. Based on the above two reports, the Commissioner & Director of Agriculture, A.P., Hyderabad has initiated disciplinary action against Sri K.V.V. Satyanarayana Murthy, the then Assistant Director of Agriculture (SC), RVP, Arakuvalley, Vishakapatnam District, under A.P.Civil Services (CCA) Rules, 1991 and also issued Articles of Charge against him, in the reference 4th read above, with a direction to submit his Written Statement of Defense (WSD), duly admitting/denying the Charges.

5. In the reference 5th read above, the Government have revoked the suspension against Sri K.V.V.Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam, pending finalization of the disciplinary action initiated against him and requested the Commissioner & Director of Agriculture, A.P., Hyderabad to post the individual at far off place in non-focal post and accordingly, in the reference 6th read above, the Commissioner & Director of Agriculture, A.P., Hyderabad has posted him as Asst. Director of Agriculture, Kothur, Srikakulam District.

6. In the reference 7th read above, the Charged Officer Sri K.V.V. Satyanarayana Murthy, the then Assistant Director of Agriculture (SC), RVP, Arakuvalley, Vishakapatnam District has submitted his Written Statement of Defense (WSD), duly denying the Charges framed against him. Since the Written Statement of Defense (WSD) is far from convincing, the Commissioner & Director of Agriculture, A.P., Guntur has appointed Sri D. Rushendranath, Additional Director of Agriculture–I, O/o Commissioner & Director of Agriculture, A.P., Hyderabad as the Inquiry Authority, in the reference 9th read above, to inquire into the Articles of Charge issued against the Charged Officer and also appointed Sri P. Atmaramulu, Deputy Director of Agriculture (N.C.Cell), O/o Commissioner & Director of Agriculture, A.P., Hyderabad, as Presenting Officer, in the reference 8th read above, to present the case before the Inquiry Authority.

7. In the reference 10th read above, Sri D.Rushendranath, Addl. Director of Agriculture –I, O/o Commissioner and Director of Agriculture, A.P., Hyderabad & Inquiry Authority has submitted his report to the Commissioner & Director of Agriculture, A.P., Hyderabad, stating that out of the (2) Articles of Charge issued against Sri K.V.V.Satyanarayana Murthy, the then Assistant Director of Agriculture (SC), RVP, Arakuvalley, Vishakapatnam District, the Articles of Charge-I are held proved and the Articles of Charge –II are held not proved.

8. In the reference 11th read above, the Commissioner of Agriculture, A.P., Hyderabad has communicated a copy of the Inquiry Report to the Charged Officer Sri K.V.V. Satyanarayana Murthy, the then Assistant Director of Agriculture (SC), RVP, Arakuvalley, Vishakapatnam District, calling for his explanation, if any, and in the reference 12th read above, the Charged Officer has submitted his explanation duly denying the charges framed against him and requesting to drop further action in the matter.

9. The Government have examined the case, in consultation with the advisory departments and taken a provisional decision to impose the Penalty of "Withholding of 20% of Pension permanently, besides recovery of Rs.5,13,991.25 paisa from his retirement benefits", against Sri K.V.V. Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Deputy Director of Agriculture, O/o Joint Director of Agriculture, Srikakulam District, under rule 9 of A.P. Revised Pension Rules, 1980.

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10. Accordingly, the Government have issued Show Cause Notice to the Charged Officer Sri K.V.V. Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Vishakapatnam District and subsequently retired as Deputy Director of Agriculture, O/o Joint Director of Agriculture, Srikakulam District, in the reference 13th read above, with a direction to show-cause as to why the Penalty of "Withholding of 20% of Pension permanently, besides recovery of Rs.5,13,991.25 paisa from his retirement benefits" should not be imposed against him for Articles of Charge-I issued against him are held proved and in the reference 14th read above, the Charged Officer has submitted his representation, requesting to drop further action in the matter.

11. The Government have not considered the above representation of the Charged Officer Sri K.V.V. Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Deputy Director of Agriculture, O/o Joint Director of Agriculture, Srikakulam since he has not produced any new material or evidence that has the effect of changing the nature of the case and decided to impose the above said penalty of "withholding of 20% of Pension permanently, besides recovery of Rs.5,13,991.25 paisa from his retirement benefits" against him.

12. Accordingly, as per Regulation 17 of A.P.Public Service Commission, Regulations, 1963, the Government have requested the Secretary, A.P.Public Service Commission, Regulations, Vijyawada, in the reference 15th read above, to place the above proposed Penalty of "Withholding of 20% of Pension permanently, besides recovery of Rs.5,13,991.25 paisa from his retirement benefits" against the Charged Officer Sri K.V.V. Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Deputy Director of Agriculture, O/o Joint Director of Agriculture, Srikakulam, before the Commission and obtain its concurrence and communicate the same to the Government.

13. In the reference 16th read above, the Joint Secretary, A.P.Public Service Commission, Regulations, Vijayawada has stated that the Commission agrees with the proposals of the Government to impose the penalty of "Withholding of 20% of Pension permanently, besides recovery of Rs.5,13,991.25 paisa from his retirement benefits" against Sri K.V.V. Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Deputy Director of Agriculture, O/o Joint Director of Agriculture, Srikakulam and advised accordingly.

14. The Government, after careful examination of the matter, hereby, impose the Penalty of "withholding of 20% of Pension permanently, besides recovery of Rs.5,13,991.25 paisa from his retirement benefits" against the Charged Officer Sri K.V.V.Satyanarayana Murthy, the then Asst. Director of Agriculture (SC), RVP, Arakuvalley, Visakhapatnam District and subsequently retired as Deputy Director of Agriculture, O/o Joint Director of Agriculture, Srikakulam, under rule-9 of A.P.Revised Pension Rules,1980 for the Articles of Charge-I issued against him is held proved.

15. The Commissioner of Agriculture, A.P., Guntur shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri K.V.V. Satyanarayana Murthy, Deputy Director of Agriculture (Retd.),
O/o Joint Director of Agriculture, Srikakulam.
(through the Commissioner of Agriculture, A.P., Guntur)
The Commissioner of Agriculture, A.P., Guntur.

(P.T.O)

Copy to:

The Prl. Accountant General, A.P., Vijayawada.
The Director of Treasuries & Accounts, A.P., Vijayawada.
The District Treasury Officer, Srikakulam
The Joint Director of Agriculture, Srikakulam
The P.S. to Secretary, A.P.Public Service Commission, Regulations, Vijayawada.
The P.S. to A.P.Vigilance Commissioner, APVC,
Block-5, First Floor, AP Secretariat Buildings, Amaravati at Velagapudi.
Sf/Sc

// FORWARDED BY ORDER//

SECTION OFFICER